

**NATURE OF CHARGE:** Misbranding, Section 403 (e) (2), the product failed to bear a label containing an accurate statement of the quantity of the contents since the cans contained less than the labeled amount.

**DISPOSITION:** April 15, 1952. The shipper, claimant, having consented to the entry of a decree, judgment of condemnation was entered and the court ordered that the goods be released under bond to be relabeled or otherwise brought into compliance with the law, under the supervision of the Food and Drug Administration.

## SPICES, FLAVORS, AND SEASONING MATERIALS

**19046. Adulteration and misbranding of black pepper. U. S. v. 141 Cans \* \* \* (F. D. C. No. 32615. Sample No. 15165-L.)**

**LIBEL FILED:** January 25, 1952, District of Nebraska.

**ALLEGED SHIPMENT:** On or about November 9, 1951, by the Arrow Spice & Food Co., from Dallas, Tex.

**PRODUCT:** 141 1-pound cans of black pepper at Lincoln, Nebr.

**LABEL, IN PART:** "Arrow Brand \* \* \* Pure Ground Black Pepper."

**NATURE OF CHARGE:** Adulteration, Section 402 (b) (2), a mixture of black pepper, cottonseed hulls, salt, and capsicum had been substituted in whole or in part for pure black pepper; and, Section 402 (b) (4), cottonseed hulls, salt, and capsicum had been added to the product and mixed and packed with it so as to increase its bulk or weight and reduce its quality.

Misbranding, Section 403 (a), the label designation "Pure \* \* \* Black Pepper" was false and misleading.

**DISPOSITION:** May 23, 1952. Default decree of condemnation. The court ordered that the product be delivered to a Federal institution.

**19047. Adulteration of imitation pepper. U. S. v. 2½ Cases, etc. (F. D. C. No. 32494. Sample Nos. 29351-L to 29353-L, incl., 29355-L.)**

**LIBEL FILED:** On or about February 21, 1952, Western District of Washington.

**ALLEGED SHIPMENT:** Between the approximate dates of May 4 and August 10, 1951, by R. C. Pauli & Sons, from San Francisco, Calif.

**PRODUCT:** Imitation pepper. 2½ cases, each containing 24 16-ounce tubes; 1 case, containing 6 5-pound tubes; 1 barrel, containing approximately 88 pounds and 6 tubes, each tube containing 2 pounds; and 42 5-pound tubes, at Seattle, Wash.

**LABEL, IN PART:** (Portion) "Imitation Black Pepper" or "Tropic Brand \* \* \* Imitation Black [or "White"] Pepper."

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of the presence of insects and insect parts.

**DISPOSITION:** May 7, 1952. Default decree of condemnation and destruction.

**19048. Adulteration of red chili pods. U. S. v. 66 Pounds \* \* \* (and 1 other seizure action). (F. D. C. Nos. 33091, 33092. Sample Nos. 14189-L, 14190-L.)**